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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,335	06/23/2003	Scott Forstall	18602-08002	2025
26183 7590 01/10/2008 FISH & RICHARDSON P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER BULLOCK JR, LEWIS ALEXANDER	
			ART UNIT	PAPER NUMBER
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			01/10/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/602,335

Applicant(s)

FORSTALL ET AL.

Examiner

Lewis A. Bullock, Jr.

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/17/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,4-16,18,19 and 21-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,4-16,18,19,21-23 and 25-45 is/are rejected.
- 7) ☒ Claim(s) 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/ are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 2, 4, 5, 7-10, 12-14, 16, 18, 19, 25-27, 29 and 35-45 are rejected under 35 U.S.C. 102(b) as being anticipated by NEWMAN (U.S. Patent Publication 2002/0073157).

As to claims 2, 18, 19, 29, 35-43 and 45, NEWMAN teaches a method, system, or a program product of a computer readable medium that receives a plurality of e-mail messages (via receiving messages and analyzing they belong in a tree) (pg. 4, paragraph 0041-0044); determines that the e-mail messages are related to one another, thereby creating an e-mail thread when the messages relate to one another (via receiving messages and analyzing they belong in a tree) (pg. 4, paragraph 0041-0044; see also pg. 3, paragraph 0033-0036); associate the e-mail thread with the e-mail messages, the e-mail thread including thread information derived from attributes of at least one of the first or second e-mail messages (via receiving messages and analyzing they belong in a tree wherein the selection of the e-mail thread in the first frame causes the e-mails to be displayed in another frame) (pg. 4, paragraph 0041-0044; pg. 4, paragraph 0046-0048); and displaying information about the e-mail messages in a user interface where thread header information is displayed, the displayed thread header information being distinct from information displayed for individual e-mail messages and

where the thread header information is displayed in the mailbox in place of or in lieu of mailbox entries for the first e-mail message and the second e-mail message associated with the e-mail thread (via the conventional mailing list application showing a two frame display of the first frame displaying a general outline view of the e-mail collection divided into threads, hence the first frame is displaying the e-mail headers without all of the content of the e-mails) (pg. 4, paragraph 0046-0048).

As to claims 4, 5, 7-10, 12-14, and 16, NEWMAN teaches the header includes a subject of the e-mail thread (RE field) (see fig. 6 and 7); an originator of the e-mail thread (name on threads) (see fig. 6 and 7); a time that the thread was most recently updated (via the first frame indicates a brief description of last associated e-mail) (see fig. 6 and 7); and is updated when messages are associated with the thread (via the first frame indicates a brief description of last associated e-mail) (see fig. 6 and 7).

As to claims 25-27, NEWMAN teaches displaying the e-mail thread in a first frame wherein upon selection of a thread in a first window causes the display of messages in a second frame (pg. 4, paragraph 0046-0048). Therefore, it is inherent to the teachings of NEWMAN that the selection of an expansion icon (i.e. the displayed thread header) causes the display of information about each individual e-mail message wherein the user selects any message.

As to claim 44, NEWMAN teaches disregarding subject prefixes in determining whether messages are associated (pg. 2, paragraph 0028-0029).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 11, 15 and 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over NEWMAN (U.S. Patent Publication 2002/0073157).

As to claims 6, 11, and 15, NEWMAN substantially discloses the invention. However, NEWMAN does not explicitly mention that the header displays the number of messages. Official Notice is taken in that a e-mail thread indicating the number of messages is well known in the art and therefore obvious in view of NEWMAN that the header of NEWMAN would indicate the number of messages.

As to claim 30 and 31, NEWMAN teaches analyzing e-mail message and determining whether they are related to be associated with an e-mail thread (via receiving messages and analyzing they belong in a tree wherein the selection of the e-mail thread in the first frame causes the e-mails to be displayed in another frame) (pg.

4, paragraph 0041-0044; pg. 4, paragraph 0046-0048). However, NEWMAN does not explicitly mention that the In-Reply-To field or forward field is checked. Official Notice is taken in that they checking of the following fields is well known in the art to determine whether e-mail messages are met and therefore would be obvious in view of the teachings of NEWMAN in order to associate e-mail messages with threads.

As to claim 32-34, NEWMAN teaches a conventional mailing list application that displays e-mail threads (pg. 4, paragraph 0046-0048). However, NEWMAN does not teach that the application is a sent-items folder or personal items folder. Official Notice is taken in the cited folders are well known in the art to be displays of a message list application and therefore obvious in view of the teachings of NEWMAN in order to display the threads.

5. Claims 21-23 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over NEWMAN (U.S. Patent Publication 2002/0073157) in view of "Understanding Sequence and Reply Relationships within Email Conversations: A Mixed-Model Visualization" by VENOLIA et al.

As to claims 21-23 and 28, NEWMAN substantially discloses the invention. However, NEWMAN does not explicitly teach that the displayed information indicates a color associated with a sender of either e-mail message wherein the header is in the color of the sender of the highest priority.

VENOLIA teaches the displayed information associated with an email conversation wherein the information is displayed in a reduced form (pg. 5, Putting it in Context, right column) wherein a selected message is an initial color and all parents and children are in a different color and ancestors to the root are in a different color (pg. 6, left column, first paragraph) and that the header (summary information about the conversation) indicates information regarding message fields and can be expanded (pg. 6, left column, second paragraph) and also including an unread flag (pg. 6, left column, send paragraph and fourth paragraph). Typically the header indicates the name of the conversational originator (pg. 6, 4th paragraph). It would be obvious based upon the teachings of VENOLIA that each e-mail message sender is in a different color since they would make up different parents/childs in a email thread and that the e-mail header is in the color of the highest priority e-mail sender, i.e. the initial e-mail sender, since the header indicates the originally sender and he has a color based upon the different colors of the e-mail senders. Therefore, it would be obvious to combine the teachings of NEWMAN with the teachings of VENOLIA in order to facilitate a mixed-modal visualization that simultaneously presents a sequence and reply relationship among the messages of a conversation (abstract).

Allowable Subject Matter

6. Claim 24 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments filed October 17, 2007 have been fully considered but they are not persuasive. Applicant argues that although Newman discloses several example thread displays corresponding to Figures 3-7, Newman does not disclose a mailbox including mailbox entries and further do not disclose displaying thread header information in the mailbox in place of mailbox entries for the messages of the thread. Applicant states that the displaying of a thread outline having a thread header followed by a listing of each message in the thread in the first frame and a second frame displaying the thread content as a single document is not similar to a mailbox that includes thread header information. The examiner disagrees. Newman discloses that the display mechanism is of a conventional digested thread using a conventional mailing list application (pg. 4, paragraph 0046). A mailing list application is any type of program that enables you to send / receive e-mails, similar to outlook. The storage of the e-mails is in a mailbox. Therefore, the reference inherently teaches a mailbox. The cited claims further detail displaying information about the e-mail messages by displaying the thread header information wherein the thread header information is distinct from the information displayed for individual e-mail messages and the thread header information is displayed in the mailbox in place of mailbox entries for the first and second e-mail messages. The limitation can be interpreted a number of ways, some of which are covered by the teachings of Newman. One interpretation is that the thread header information is the overall attributes of the e-mail thread and that part of

the e-mail message that is already disclosed by the e-mail thread is removed from the e-mail messages such that redundant information is not displayed. This interpretation allows for the not displaying the entire information of the first and second e-mail message but only part of such information as a thread header / conversation message, thereby displaying the thread header in place of the entire e-mail messages. See pg. 4, paragraph 0046, wherein the redundant header information has been removed and the incorporated excerpts have been reduced such that the new entry has links to the responses rather than the entire responses with corresponding headers. Another interpretation is that the display of the e-mail messages is removed from the display of the mailbox where the thread is displayed, such that clicking on the thread, which has some of the e-mails attributes, subsequently shows the messages in another display. This interpretation allows for the displaying of the thread in place of the messages because the messages are not part of the mailbox anymore. A user clicks on the entry in the first frame and the e-mail entries associated with the first frame entry are displayed in a second frame, thereby the first and second e-mail messages that make up the thread are not displayed in the mailbox and the header information is in its place. See pg. 4, paragraph 0047-0048 for this interpretation wherein the first frame displays a general outline view of the e-mail collection, divided into threads, while the second frame displays the contents of the threads. As disclosed in figures 6 and 7, the entire contents of the e-mail are not displayed in the first frame, only partial information that make up the threads, thereby being the thread header information. The second frame displays the entire contents of the e-mails of the threads. Thus, the thread header

information is displayed in the first frame in place of the entire mailbox entries for the first and second e-mail that make the thread.

Applicant further argues that while the first frame includes a thread header, the first frame also displays an entry for each individual message of the thread. Applicant states that claim 2 is directed toward the thread header information being displayed in place of mailbox entries for the e-mail messages associated with the thread whereas Newman shows entries for the individual e-mail messages of the thread listed. The examiner disagrees and refers to the comments above in showing that only partial information is displayed in the first frame. Applicant's claims indicate that the thread header information has e-mail thread information derived from attributes of at least one of the first or second e-mail messages. Therefore, part of the information of the e-mail messages are header information. The first frame of Newman displays only part of the header information while the second frame displays the entire message, and as outlined above, this interpretation meets the language of the claims.

Regarding claim 6, Applicant argues that Newman does not teach displaying a thread header that indicates an indicia of the number of messages in the thread. The examiner disagrees. It is clear from the rejection made that claim 6 and claim 7 was mistakenly switched and thus claim 6 is a 103 rejection and claim 7 is a 102 as outlined in the substance of the rejection. Therefore, claim 6 is an well known obvious feature to the teachings of Newman. Newman associates e-mail messages to threads and keeps track of the modification. Well-known modifications would be to keep track of the number of messages associated with the threads.

Applicant argues the remaining claims by stating the reference does not teach the displaying in place of limitation disclosed in claim 2. The examiner refers to the remarks above in refuting this position.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (571) 272-3759. The examiner can normally be reached on Monday-Friday, 8:30 a.m. - 5:00 p.m..

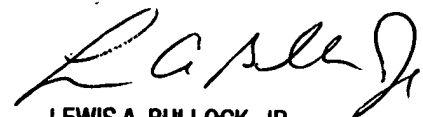
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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January 2, 2008


LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER